

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

FILED BY CLERK

APR -9 2013

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

| | | |
|----------------------------|---|----------------------------|
| THE STATE OF ARIZONA, |) | 2 CA-CR 2012-0382 |
| |) | DEPARTMENT A |
| Appellee, |) | |
| |) | <u>MEMORANDUM DECISION</u> |
| v. |) | Not for Publication |
| |) | Rule 111, Rules of |
| GUADALUPE AGUILAR SALAZAR, |) | the Supreme Court |
| |) | |
| Appellant. |) | |
| _____ |) | |

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR20100387001

Honorable Paul E. Tang, Judge

AFFIRMED

Lori J. Lefferts, Pima County Public Defender
By Abigail Jensen

Tucson
Attorneys for Appellant

H O W A R D, Chief Judge.

¶1 Appellant Guadalupe Salazar appeals from her conviction and disposition for armed robbery, entered after a jury trial. The trial court suspended the imposition of sentence and placed Salazar on a three-year term of probation, ordering her to serve thirty days' incarceration as a condition of her probation.

¶2 Counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738, 744 (1967), and *State v. Clark*, 196 Ariz. 530, ¶ 30, 2 P.3d 89, 96 (App. 1999), avowing she has reviewed the record and found no arguably meritorious issue to raise on appeal. Consistent with *Clark*, she has provided “a detailed factual and procedural history of the case with citations to the record,” 196 Ariz. 530, ¶ 32, 2 P.3d at 97, and asks this court to search the record for error. Salazar has not filed a supplemental brief.

¶3 Viewed in the light most favorable to upholding the jury's verdict, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence established the following. In January 2010, Salazar entered a tavern, told the bartender she had a gun, threatened and struck the bartender with a gun-shaped object wrapped in a T-shirt, and took \$240 from the cash register. The jury found Salazar guilty of armed robbery, but found the state had failed to prove the robbery was a dangerous offense.

¶4 We conclude substantial evidence supported the jury's verdict. *See* A.R.S. §§ 13-1902 and 13-1904(A)(1). Salazar was represented by counsel, and the term and conditions of her probation were authorized by statute and imposed in a lawful manner. *See* A.R.S. §§ 13-901(A), (B), (F) and 13-902(A)(1). In our examination of the record pursuant to *Anders*, we have found no reversible error and no arguable issue warranting

further appellate review. *See Anders*, 386 U.S. at 744. Accordingly, we affirm Salazar’s conviction and disposition.

/s/ *Joseph W. Howard*

JOSEPH W. HOWARD, Chief Judge

CONCURRING:

/s/ *Peter J. Eckerstrom*

PETER J. ECKERSTROM, Presiding Judge

/s/ *Michael Miller*

MICHAEL MILLER, Judge